



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/588,177

05/12/2008

Kazuo Komatsu

P/1929-99

5058

2352 7590 02/04/2010
OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

SMITH, COURTNEY L

ART UNIT

PAPER NUMBER

2835

MAIL DATE

DELIVERY MODE

02/04/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/588,177 | Applicant(s) KOMATSU, KAZUO | |
| | Examiner COURTNEY SMITH | Art Unit 2835 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) 1-25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 26-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/02/2006,01/14/2010</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. **Claim 2** is objected to because of the following informalities: 'a carbon sheet including a layer of activated carbon' is unclear since claim 1 already asserts the same;. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 26-38, 40-49, and 51**, are rejected under 35 U.S.C. 102(b) as being anticipated by (**Azarian 6,238,467**).

Regarding Claim 26, Azarian discloses a composite sheet (**Col. 3, lines 25-30--carbon composite between two filter media layers**) comprising a first sheet (**one of the already disclosed filter layers of the composite sheet**) having air permeability (**permeability--Col. 9, lines 25-30**), waterproofness (**waterproof--Col. 9, lines 53-60**) and dustproofness (**filtering pollutants, particles and contaminants--Col. 3, lines 12-23**); a second sheet (**another of the already disclosed filter layers of the composite sheet**) having air permeability; and a layer of activated carbon sandwiched between the first and second sheets (**as already set forth at Col. 3, lines 25-30**).

Art Unit: 2835

Regarding Claims 27-29, 31-37, and 42-48, Azarian discloses discloses the composite sheet as claimed in claim 26, wherein the composite sheet comprises the carbon sheet (as already disclosed) including non-woven fabrics (non-woven layers-- as disclosed by Col. 9, lines 38-47, and further disclosed by Col. 8, lines 35-39) and the layer of activated carbon sandwiched between the non-woven fabrics (as already set forth in claim 1) and a fine-hole sheet (Col. 23, lines 32-50--wherein adhesive layer is covered with a microporous layer) having a large number of fine pores superposed on the carbon sheet (wherein the microporous adhesive covers the already disclosed composite sheet), and wherein the first sheet comprises the fine-hole sheet (as already set forth) and one of the non-woven fabrics superposed on the fine-hole sheet (wherein Col. 23, lines 32-50 discloses the microporous adhesive on the PTFE composite sheet by Col. 9, lines 38-47 and the PTFE is already disclosed as non-woven fabric), and the second sheet comprises the other of the non-woven fabrics (a further disclosed by Col. 9, lines 51-67--Col. 10, lines 1-7-- where respective first and second filter sheets PTFE are disclosed thus each sheet is non-fabric, as already set forth).

Regarding Claims 30, & 41 Azarian discloses the closed type casing/device (laptop-- Col. 2, lines 46-52), comprising: a heat radiating structure (as constituted by air receiving interior of disk drive enclosure--Col. 2, lines 44-61); and a casing (Col. 1, lines 11-31--where disk drive enclosure encapsulates mechanical, optical and electrical equipment) for encapsulating incorporated equipment and a ventilation hole

Art Unit: 2835

(vent hole--Col. 2, lines 53-61), wherein the heat radiating structure includes the ventilation hole **(as already set forth, where the vent hole is on the enclosure)** and the composite sheet as claimed in claim 26 attached to the casing so as to cover the ventilation hole **(as already set forth wherein the composite sheet is mounted and sealed over the vent hole)**, and the composite sheet is attached to the casing with the first sheet facing outward and second sheet facing inward **(as constituted by the composite sheet mounted and sealed over vent hole)**.

Regarding Claims 38 & 49, Azarian discloses the closed type casing as claimed in claim 30, wherein a discharge hole **(where air exits 96, 98 via discharge hole of enclosure 88-Fig. 8b)** for discharging external air introduced through the ventilation hole using a blower **(fan--Col. 3, lines 59-66--where filters of the vent holes are place in front of a fan)** provided in the casing is formed in the casing at the opposite position to the ventilation hole.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2835

5. **Claims 39 & 50**, are rejected under 35 U.S.C. 103(a) as being unpatentable over **(Azarian 6,238,467)** as applied to claim 26 above, in view of **(Bottle 5,717,160)**.

Regarding Claims 39 & 50, **Azarian** discloses the closed type device as claimed in claim 30, **except** explicitly wherein the casing has electrically conductive property and the layer of activated carbon and casing are electrically connected to each other.

However, **Bootle** discloses wherein the casing has electrically conductive property and the layer of activated carbon and casing are electrically connected to each other(**Col. 1, lines 12-31 and Col. 2, lines 1-20--where mating surfaces of the enclosure and carbon composite provides for EMI shielding**). It would have been obvious to one having ordinary skill in the art at the time that the invention was made to provide the casing of Azarian with the electrically connected carbon and casing of Bootle in order to improve EMI shielding and preventing radiation leakage.

Regarding Claims 40 & 51, **Azarian** discloses the closed type device as claimed in claim 30, wherein the ventilation hole is formed in a part of an openable door (**wherein lid-116-Fig. 8b defines the already disclosed ventilation hole that receives 98**) of the casing.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2835

| | | |
|---------------|-----------------------|--------|
| US 6554881 B1 | Healey; David Thomas | Fig. 4 |
| US 4514197 A | Armbruster; Joseph M. | Fig. 2 |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to COURTNEY SMITH whose telephone number is (571)272-9094. The examiner can normally be reached on M-F 7:30 am-5 pm (1st Fri. off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayprakash Gandhi can be reached on 571-272-3740. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/C. S./
Examiner, Art Unit 2835

/Jayprakash N Gandhi/

Application/Control Number: 10/588,177

Page 7

Art Unit: 2835

Supervisory Patent Examiner, Art Unit 2835